

Message Text

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71

ACTION ARA-20

INFO OCT-01 ISO-00 EB-11 COME-00 L-03 RSC-01 DRC-01 /037 W

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R 022056Z APR 74

FM AMEMBASSY PORT AU PRINCE

TO SECSTATE WASHDC 7727

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E.O. 11652: N/A

TAGS: ETRD, EIND, HA

SUBJECT: DUPONT CARIBBEAN INC.

REF: P-AU-P 0220

1. DON PIERSON OF DUPONT CARIBBEAN INC. (DCI) CALLED ON GOH MINISTERS OF COMMERCE AND JUSTICE FOURCAND AND JEANTY MARCH 28 TO DISCUSS TORTUGA CASE. ACCORDING TO PIERSON, HIS MEETING WITH GOH MINISTERS WAS ARRANGED BY HAITIAN AMBASSADOR TO THE U.S. BOUCHETTE, WHO ALSO HAD INTERCEDED WITH PRESIDENT DUVALIER ON DCI'S BEHALF.
2. CONVERSATIONS WITH PIERSON'S ATTORNEY, GERALD MERCERON, AND WITH UNDER MINISTER OF COMMERCE HENRI BAYARD, BOTH OF WHOM WERE PRESENT AT THE MEETING, SUGGEST FOLLOWING APPROXIMATE SEQUENCE OF EVENTS. MINISTERS EMPHASIZED THAT THEY WERE NOT AUTHORIZED TO NEGOTIATE WITH PIERSON, BUT WERE TO LISTEN TO PIERSON'S CASE AND REPORT TO PRESIDENT DUVALIER. PIERSON PROPOSED THAT A NEW CONTRACT BE SIGNED, IDENTICAL TO THE ORIGINAL AS AMENDED, BUT WITH DELETION OF ARTICLE 9 OF ORIGINAL CONTRACT AND OF ARTICLE 6 OF AMENDMENT. THE FORMER IS PROVISION REFERRING CONTRACT DISPUTES TO WORLD COURT; LATTER IS DESIGNATION OF DUPONT CARIBBEAN FREEPORT AUTHORITY AS ARBITRATION BOARD. MINISTERS AGREED TO CONVEY PROPOSAL TO PRESIDENT AND INFORM PIERSON OF PRESIDENT'S DECISION.
3. PIERSON, IN CONVERSATION WITH EMBOFF FOLLOWING MEETING, GAVE SOMEWHAT DIFFERENT VERSION. PIERSON REPORTED THAT MINISTERS FOURCAND AND JEANTY HAD AGREED TO HIS PROPOSAL, AND SAID HE EXPCTED SHORTLY

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TO SIGN NEW CONTRACT.

4. COMMENT: AS FAR AS THE EMBASSY CAN DETERMINE, GOH HAS NO INTENTION OF RENEGOTIATING CONCESSION CONTRACT WITH DCI, AND MEETING WAS ARRANGED IN RESPONSE TO PIERSON'S COMPLAINTS THAT HE HAS HAD NO OPPORTUNITY TO STATE HIS CASE PERSONALLY.
ISHAM

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